

The relation of J.Ch. Finke's theory with the features of constitutional state

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Abstract

The relevance of the study of this problem is caused by the fact that there is a desire to develop the state of law in Russia and abroad. The concept of the state of law is versatile; it covers the different facets of this problem. For centuries many philosophers and scientists were involved in its development. Among them it should be noted the professor of the Kazan Imperial University J.Ch. Finke. He contributed to the development of the theory of natural law. Its framework includes the ideas related to the state of law. The aim of this study is to identify the link between J.Ch. Finke's theory and the generally accepted modern attributes of the state of law. The key methods used in this study are the general scientific and frequent scientific methods. They enabled to open the features of J.Ch. Finke's views on the natural law nature and system, to see the connection between the individual aspects of his theory and the attributes of the state of law. This article, from the perspective of this theory of natural law, includes a description of the role of moral law and freedom, shows the importance of these categories for the proper understanding of the attributes of the state of law. The materials presented in this article may be used in the process of legal education. They can also be taken into account in law-making, as they help to better understand the features of the natural law and the attributes of the state of law.

Keywords

Civil status, Freedom, Moral law, Natural law, State of law